

RECEIVED

MAY 26 2021

Hearing Date: 9/17/2021 9:45 AM - 9:45 AM  
 Courtroom Number: 2508  
 Location: District 1 Court  
 Cook County, IL

FILED  
 5/20/2021 2:03 PM  
 IRIS Y. MARTINEZ  
 CIRCUIT CLERK  
 COOK COUNTY, IL  
 2021CH02463

Atty. No. 41106

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
 COUNTY DEPARTMENT, CHANCERY DIVISION

PATRICK KELLER )  
 and NITISH LAL )  
 on behalf of Plaintiffs and a class, )  
 )  
 Plaintiffs, ) 2021CH02463  
 )  
 vs. )  
 )  
 NORTHSTAR LOCATION )  
 SERVICES, LLC, )  
 )  
 Defendant. )

COMPLAINT - CLASS ACTIONINTRODUCTION

1. Plaintiffs Patrick Keller and Nitish Lal bring this action to secure redress regarding unlawful collection practices engaged in by Defendant Northstar Location Services, LLC. Plaintiffs allege violation of the Fair Debt Collection Practices Act, 15 U.S.C. §1692 et seq. ("FDCPA").

JURISDICTION AND VENUE

2. Jurisdiction of this Court arises under 15 U.S.C. §1692k(d).

3. Personal jurisdiction in Illinois is proper because Defendant sent its collection letters into Illinois.

4. Venue in this county is proper because Defendant's registered office is here.

PARTIES**Plaintiffs**

5. Plaintiff Patrick Keller is a natural person residing in Illinois.

6. Plaintiff Nitish Lal is a natural person residing in Illinois.

**Defendant**

7. Defendant Northstar Location Services, LLC is a limited liability company organized

under New York law with its Principal Office at 4285 Genesee St., Cheektowaga, NY 14225. It does business in Illinois. Its registered agent and office is C T Corporation System, 208 S. La Salle St., Suite 814, Chicago, IL 60604.

8. Defendant Northstar Location Services, LLC is engaged in the sole or principal business of a collection agency, collecting consumer debts and using the mails and telephone system for that purpose. It states on its web site (<https://www.thenorthstarcompanies.com/>) that it is engaged in "Full-Service Receivables Debt Collection Solutions".

9. Upon information and belief, almost all of Defendant Northstar Location Services, LLC's resources are devoted to debt collection.

10. Upon information and belief, almost all of Defendant Northstar Location Services, LLC's revenue is derived from debt collection.

11. Upon information and belief, almost all of Defendant Northstar Location Services, LLC's expenses are related to debt collection.

12. Upon information and belief, Defendant Northstar Location Services, LLC has more than 700 employees engaged in collecting debts for others.

13. Defendant Northstar Location Services, LLC is a debt collector as defined by the FDCPA, 15 U.S.C. §1692a(6), as a person who uses one or more instrumentalities of interstate commerce or the mails in any business the principal purpose of which is the collection of any debts.

### FACTUAL ALLEGATIONS

14. This action arises out of Defendant's attempts to collect from Plaintiff Keller a credit card debt incurred for personal, family or household purposes and to collect from Plaintiff Lal an automobile finance contract incurred for personal, family or household purposes.

15. On or about April 12, 2021, Defendant Northstar Location Services, LLC caused a letter vendor to send Plaintiff Keller the letter in *Exhibit A*.

16. On or about December 21, 2020, Defendant Northstar Location Services, LLC caused a letter vendor to send Plaintiff Lal the letter in *Exhibit B*.
17. On or about February 24, 2021, Defendant Northstar Location Services, LLC caused a letter vendor to send Plaintiff Lal the letter in *Exhibit C*.
18. On or about March 29, 2021, Defendant Northstar Location Services, LLC caused a letter vendor to send Plaintiff Lal the letter in *Exhibit D*.
19. The letters bear markings that are characteristic of one generated by a letter vendor.
20. In order to have the letter vendor send Plaintiffs the letters, Defendant had to furnish the letter vendor with Plaintiffs' names and addresses, the status of Plaintiffs as debtors, details of each Plaintiffs' alleged debts, and other personal information.
21. The letter vendor then populated some or all of this information into a prewritten template, printed, and mailed the letters to Plaintiffs.
22. The FDCPA defines "communication" at 15 U.S.C. § 1692a(3) as "the conveying of information regarding a debt directly or indirectly to any person through any medium."
23. The sending of an electronic file containing information about Plaintiffs' purported debt to a letter vendor is therefore a communication.
24. Defendant's communication to the letter vendor was in connection with the collection of a debt since it involved disclosure of the debt to a third-party with the objective being communication with and motivation of the consumer to pay the alleged debt.
25. Plaintiffs never consented to having Plaintiffs' personal and confidential information, concerning the debt or otherwise, shared with anyone else.
26. In limiting disclosures to third parties, the FDCPA states, at 15 U.S.C. §1692c(b): "Except as provided in section 1692b of this title, without the prior consent of the consumer given

directly to the debt collector, or the express permission of a court of competent jurisdiction, or as reasonably necessary to effectuate a post judgment judicial remedy, a debt collector may not communicate, in connection with the collection of any debt, with any person other than the consumer, his attorney, a consumer reporting agency if otherwise permitted by law, the creditor, the attorney of the creditor, or the attorney of the debt collector.”

27. The letter vendor used by Defendant as part of its debt collection efforts against Plaintiffs does not fall within any permitted exception provided for in 15 U.S.C. §1692c(b).

28. Due to Defendant’s communication to this letter vendor, information about Plaintiffs is within the possession of an unauthorized third-party.

29. If a debt collector “conveys information regarding the debt to a third party -- informs the third party that the debt exists or provides information about the details of the debt -- then the debtor may well be harmed by the spread of this information.” *Brown v. Van Ru Credit Corp.*, 804 F.3d 740, 743 (6th Cir. 2015).

30. Defendant unlawfully communicates with the unauthorized third-party letter vendor solely for the purpose of streamlining its generation of profits without regard to the propriety and privacy of the information which it discloses to such third-party.

31. In its reckless pursuit of a business advantage, Defendant disregarded the known, negative effect that disclosing personal information to an unauthorized third-party has on consumers.

#### COUNT I – FDCPA

32. Plaintiffs incorporate paragraphs 1-31.

33. Defendant violated 15 U.S.C. §1692c(b) when it disclosed information about Plaintiffs’ purported debts to the employees of an unauthorized third-party letter vendor in connection with the collection of the debt.

34. Defendant violated 15 U.S.C. §1692f by using unfair means in connection with the collection of a debt – disclosing personal information about Plaintiffs to third parties not expressly authorized under the FDCPA.

#### CLASS ALLEGATIONS

35. Plaintiffs bring this action on behalf of a class.

36. The class consists of (a) all individuals in Illinois (b) with respect to whom Defendant had a letter prepared and sent by a letter vendor (c) which letter was sent at any time during a period beginning one year prior to the filing of this action and ending 30 days after the filing of this action.

37. Plaintiffs may alter the class definition to conform to developments in the case and discovery.

38. On information and belief, based on the size of Defendant's business operations and the use of form letters, there are more than 40 members of the class, and the class is so numerous that joinder of all members is not practicable.

39. There are questions of law and fact common to the class members, which common questions predominate over any questions relating to individual class members. The predominant common questions are whether Defendant's practice as described above violates the FDCPA.

40. Plaintiffs will fairly and adequately represent the class members. Plaintiffs have retained counsel experienced in class actions and FDCPA litigation. Plaintiffs' claims are typical of the claims of the class members. All are based on the same factual and legal theories.

41. A class action is appropriate for the fair and efficient adjudication of this matter, in that:

a. Individual actions are not economically feasible.

FILED DATE: 5/20/2021 2:03 PM , 2021CH02463

- b. Members of the class are likely to be unaware of their rights;
- c. Congress intended class actions to be the principal enforcement mechanism under the FDCPA.

WHEREFORE, the Court should enter judgment in favor of Plaintiffs and the class and against Defendant for:

- i. Statutory damages;
- ii. Attorney's fees, litigation expenses and costs of suit;
- iii. Such other and further relief as the Court deems proper.

*/s/ Daniel A. Edelman*  
Daniel A. Edelman

Daniel A. Edelman (ARDC 0712094)  
Dulijaza (Julie) Clark (ARDC 6273353)  
**EDELMAN, COMBS, LATTURNER & GOODWIN, LLC**  
20 South Clark Street, Suite 1500  
Chicago, IL 60603-1824  
(312) 739-4200  
(312) 419-0379 (FAX)  
Email address for service: [courtecl@edcombs.com](mailto:courtecl@edcombs.com)  
Atty. No. 41106

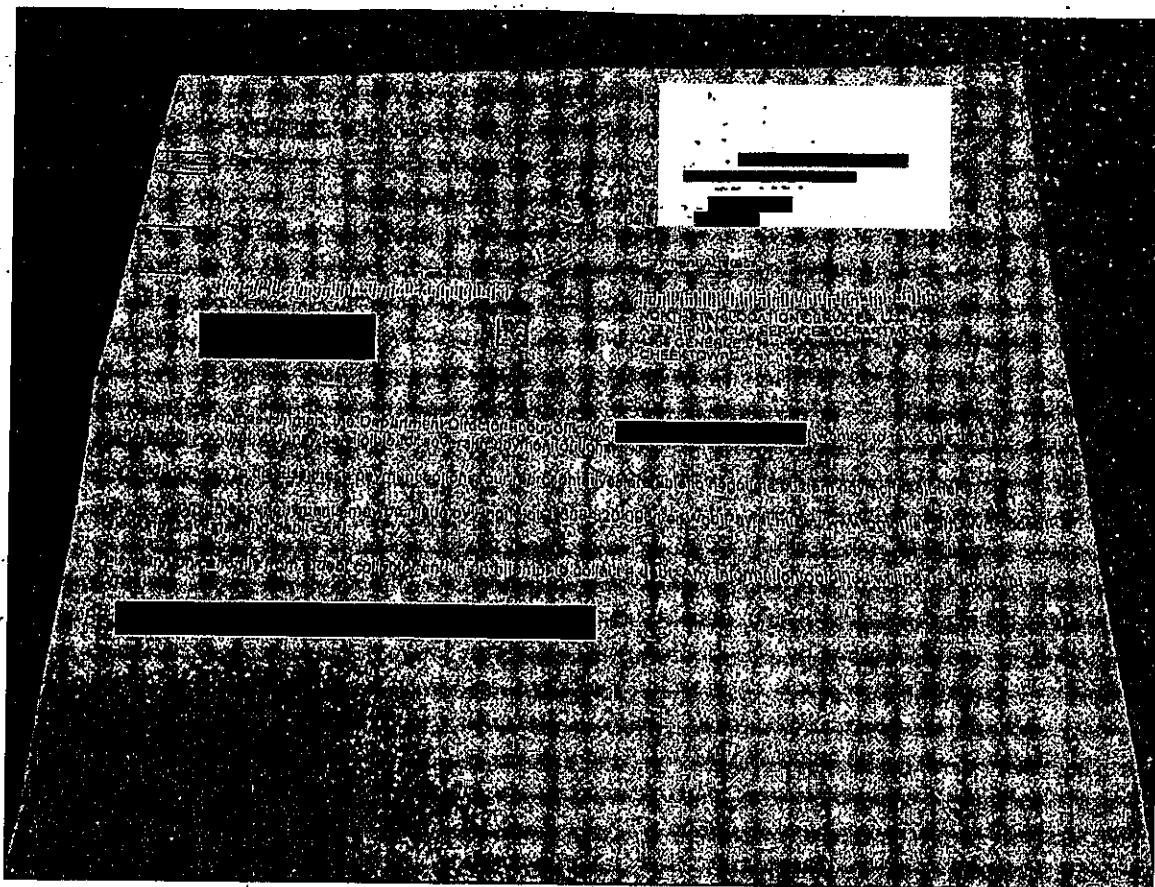
Return Date: No return date scheduled  
Hearing Date: 9/17/2021 9:45 AM - 9:45 AM  
Courtroom Number: 2508  
Location: District 1 Court  
Cook County, IL

FILED  
5/20/2021 2:03 PM  
IRIS Y. MARTINEZ  
CIRCUIT CLERK  
COOK COUNTY, IL  
2021CH02463

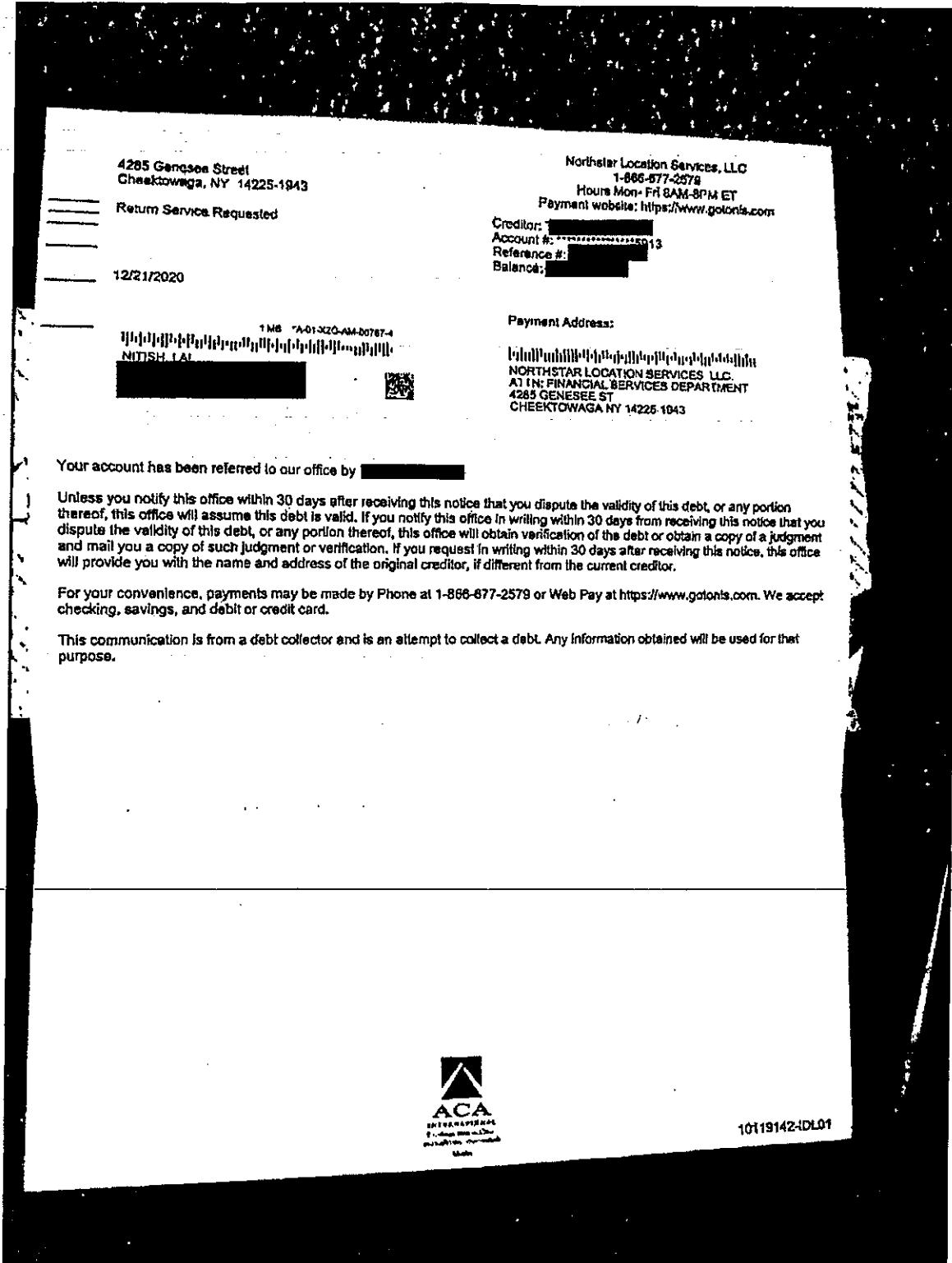
13404795

2021CH02463

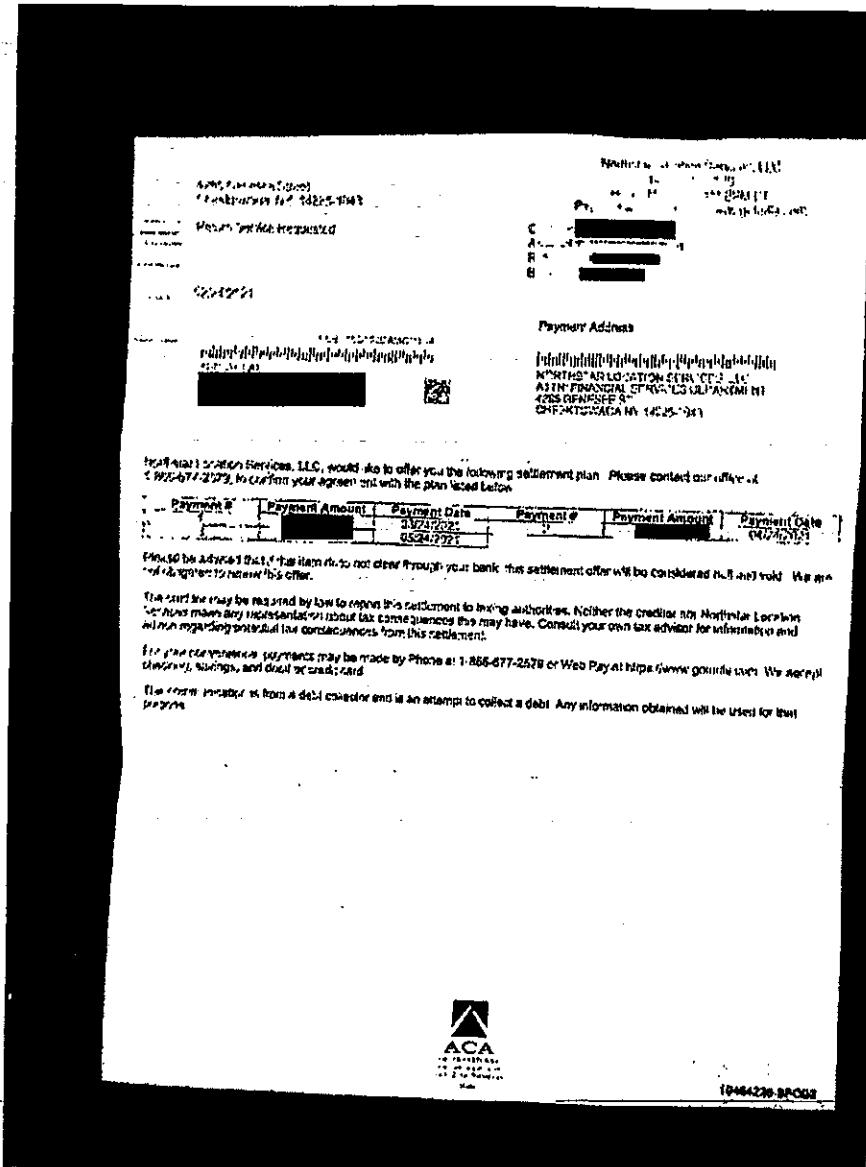
**EXHIBIT A**



**EXHIBIT B**



**EXHIBIT C**



**EXHIBIT D**

---

4285 Genesee Street  
Cheektowaga, NY 14225-1943

Return Service Requested

03/29/2021

1 MS 1A-07-DSL-AM-00486-3  
NTDSH, LAL  
[REDACTED]

Northstar Location Services, LLC  
1-866-877-2579  
Hours Mon-Fri 8AM-8PM ET  
Payment website: <https://www.gotonts.com>

Creditor: [REDACTED]  
Account #: [REDACTED] 6913  
Reference #: [REDACTED]  
Balance: [REDACTED]

Payment Address:

[REDACTED]  
NORTHSTAR LOCATION SERVICES, LLC  
ATTN. FINANCIAL SERVICES DEPARTMENT  
4285 GENESEE ST  
CHEEKTOWAGA NY 14225-1943

We are willing to accept the following payment plan. Please feel free to contact our office to discuss additional payment options.

Payment #	Payment Amount	Payment Date	Payment #	Payment Amount	Payment Date
1	[REDACTED]	04/29/2021	2	[REDACTED]	05/29/2021
3	[REDACTED]	06/29/2021	4	[REDACTED]	07/29/2021
5	[REDACTED]	08/29/2021	6	[REDACTED]	09/29/2021
7	[REDACTED]	10/29/2021	8	[REDACTED]	11/29/2021
9	[REDACTED]	12/29/2021	10	[REDACTED]	01/29/2022
11	[REDACTED]	02/28/2022	12	[REDACTED]	03/29/2022

For your convenience, payments may be made by Phone at 1-866-877-2579 or Web Pay at <https://www.gotonts.com>. We accept checking, savings, and debit or credit card.

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.



1GH44H67 PFC12